

FEB 17 2006

PTO/SB/30 (04-05)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>Request For Continued Examination (RCE) Transmittal</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/874173-Conf. #7642
	Filing Date	June 4, 2001
	First Named Inventor	Spencer M. GOLD
	Art Unit	2183
	Examiner Name	D. J. Huisman
	Attorney Docket Number	SMQ-043RCE2/P5215

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. 12-0080. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.138 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature	<i>David R. Burns</i>	Date	February 17, 2006
Name (Print/Type)	David R. Burns	Registration No.	46,590

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: February 17, 2006

Signature: *David R. Burns* (David R. Burns)

09874173

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120.00 DA

02 FC:1251

**RECEIVED  
CENTRAL FAX CENTER****FEB 17 2006****FAX TRANSMISSION****DATE:** February 17, 2006**PTO IDENTIFIER:** Application Number 09/874173-Conf. #7642  
Patent Number**Inventor:** Spencer M. GOLD et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** LAHIVE & COCKFIELD, LLP

David R. Burns

**PHONE:** (617) 227-7400**Attorney Dkt. #:** SMQ-043RCE2/P5215**PAGES (Including Cover Sheet):** 17**CONTENTS:** Fee Transmittal (1 page in duplicate)  
Response (7 pages)  
One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate)  
Request for Continued Examination Transmittal (1 page in duplicate)  
Request for Change of Attorney Docket Number (2 pages)  
Charge \$910.00 to deposit account 12-0080  
Certificate of Transmission (1 page)

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**LAHIVE & COCKFIELD, LLP**  
28 State Street, Boston, Massachusetts 02109  
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PTO/SB/97 (08-04)

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Application No. (if known): 09/874173

Attorney Docket No.: SMC-043RCE2/P5215)

**Certificate of Transmission under 37 CFR 1.8**

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on February 17, 2006  
Date



Signature

David R. Burns

Typed or printed name of person signing Certificate

46,590

Registration Number, if applicable

(617) 227-7400

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page in duplicate)

Response (7 pages)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page in duplicate)

Request for Continued Examination Transmittal (1 page in duplicate)

Request for Change of Attorney Docket Number (2 pages)

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**FEE TRANSMITTAL**  
For FY 2005

Application Number	09/874173-Conf. #7842
Filing Date	June 4, 2001
First Named Inventor	Spencer M. GOLD
Examiner Name	D. J. Hulsman
Art Unit	2183
Attorney Docket No.	SMQ-043RCE2/P5215

☐ Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b>	<b>910.00</b>
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Attorney Docket No. SMQ-043RCE2/P5215

**METHOD OF PAYMENT** (check all that apply)

☐ Check    ☐ Credit Card    ☐ Money Order    ☐ None    ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account      Deposit Account Number: 12-0080      Deposit Account Name: Lahive & Cockfield, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.18 and 1.17 ☒ Credit any overpayments

### FREE CALCULATION

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		<u>Small Entity</u>		<u>Small Entity</u>		<u>Small Entity</u>	
<u>Application Type</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

<b>Fee Description</b>	<b>Fee (\$)</b>	<b>Fee (\$)</b>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

### Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
				<u>Fee (\$)</u> <u>Fee Paid (\$)</u>
21	0			

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
4	0	x	

### 3. APPLICATION SIZE FEE

**3. APPLICATION SIZE FEE**  
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50	(round up to a whole number) x		
				<u>Fees Paid (\$)</u>

**4. OTHER FEE(S)**

**Non-English Specification, \$130 fee (no small entity discount)**

Other (e.g., late filing surcharge): 1251 Extension for response within first month

Other (e.g., late filing surcharge):	1251 Extension for response within first month	120.00
	1252 Extension for response within second month	700.00

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